

### **REMARKS**

Please reconsider the application in view of the foregoing amendments and the following remarks.

### **Status of Claims**

Claims 1-3, 5 and 7 are pending in the present application. Claims 2 and 5 have been withdrawn from consideration. Claim 1 is herein amended. No new matter has been presented.

### **Information Disclosure Statement**

Applicants note with appreciation the Examiners thorough consideration of the references cited in the Information Disclosure Statement (IDS) submitted on August 21, 2006, December 7, 2007, March 14, 2008 and April 28, 2008.

### **Claim Rejections - 35 U.S.C. §103**

The Examiner has rejected claims 1, 3 and 7 under 35 U.S.C. 103(a) as being obvious over **Bolton et al.** (WO 02/078010 A1) (made of record by applicants in IDS filed 2/6/09; a family member of previously cited Bolton et al.) in view a patent to the “Gesellschaft zur Forderung der Forschung an der Eidgenossischen Technishchen Hochschule Zurich”, Switzerland (GB-l 36902) (made of record by applicants in IDS filed 4/28/08, and henceforth referred to as “**ETH**”), in view of Applicant’s Admitted Prior Art, relying on their description of the “Background Art” (specification, paragraph [0002] on page 1).

In the claimed invention, a gas turbine plant comprises “a first speed indicator”, “a second speed indicator”, and “a bypass control section”.

In the present gas turbine plant, a bypass control section 14 controls a lift of the a bypass valve 11b in accordance with a rotating speed of the HPT 2 measured by a speed indicator 12 and a rotating speed of the LPT 3 measured by a speed indicator 13. In other words, two values obtained by the speed indicator 12 and the speed indicator 13 are processed by one bypass control section 14 in order to control a flow volume of a coolant flowing through the bypass pathway 11.

Furthermore, in the present invention, when the rotating speeds of the HPT 2 and the LPT 3 are below the predetermined values, the bypass valve 11b is opened by the bypass control section 14.

Bolton (WO 02/078010 A1) does not disclose the first speed indicator, a second speed indicator, and a bypass control section controlling the bypass pathway based on a rotating speed of the first gas turbine and a rotating speed of the second gas turbine.

ETH (GB-1362902) discloses that a sensing element 201 responds to a speed of rotation of a shaft 42, and a valve 161 is automatically adjusted by a control means 211 having the sensing element 201. ETH discloses that a sensing element 202 responds to a speed of rotation of a shaft 41, and a valve 162 is automatically adjusted by a control means 212 having the sensing element 202. That is, each sensing element has an independent valve and an independent control means, therefore one value obtained by the sensing element is processed by one control means in order to control the valve.

Furthermore, in ETH, when the rotating speed of the shaft is greater than the predetermined values, the valve is opened by the control means.

The control means disclosed ETH differs from the present control section in the construct and the condition for controlling the valve, as stated above.

Therefore, even if the disclosure of Bolton is combined with the disclosure of the ETH, the present invention is not obvious, and Claims 1, 3 and 7 should be allowable.

### **Conclusion**

The Claims as amended have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated January 28, 2010, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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